



J.P. Carlton Company Div. DAF, Inc.  
121 John Dodd Road  
Spartanburg, South Carolina 29303  
864-578-9335 • 800-243-9335 • FAX 864-578-0210

February 26, 2013

Manager  
Heavy-Duty and Nonroad Engine Group  
Mail Code 6405J  
US Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20560

Dear Designated Compliance Officer;

I am writing to you to report what I believe to be a gross violation of the EPA's rules regarding flexibility allowances under the Transition program.

Under these flexibility allowances it is specifically stated that manufacturers are not allowed to stockpile engines to avoid compliance. I have reason to believe Bandit Industries in Remus, MI has been doing just that. I believe they have been working with one of their suppliers – Power Great Lakes - to provide non compliant engines well beyond their flexibility allowance. I believe they have done this by stock piling non compliant engines and not counting these against their flexibility allowances.

Attached is an article from Tree Care Industry Magazine where Jerry Morey, President of Bandit Industries, admits to stock piling of non-compliant engines, bragging that strong revenues have allowed them to purchase as many engines as they can!!

These violations by a competitor put all compliant manufacturers at a significant disadvantage while hurting the environment, accelerating climate change, while showing complete disregard for EPA laws.

I expect the EPA to investigate this matter and enforce the law. Please let me know of your findings.

Sincerely,

John T. Bird  
JP Carlton Company

Attachment: Free Care Industry February 2013 Page 50

cc: Nikki R Haley Governor SC  
Robert M Hitt Secretary of Commerce  
Lindsey Graham  
Trey Gowdy  
Glen Reese  
Donna Wood  
Annette Hebert CARB

The GREEN ISSUE

# TREE CARE INDUSTRY

# M A G A Z I N E

The Official Publication of the Tree Care Industry Association

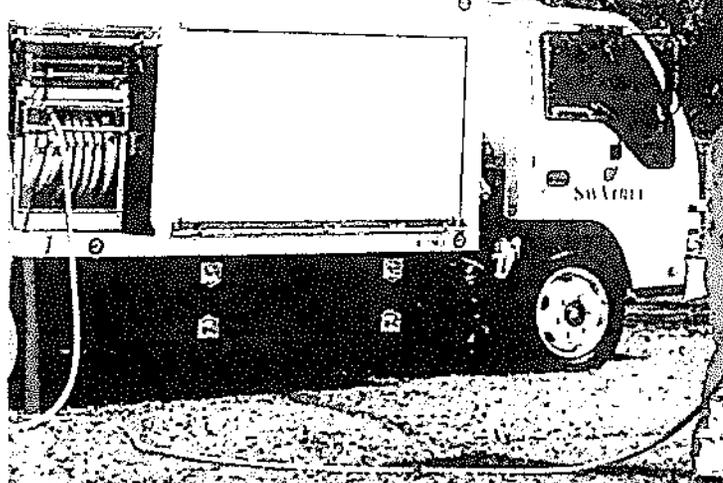
Volume XXIV, Number 2 - February 2013

## HOT TIMES in the URBAN FOREST:

Climate Change and What It Means for Insect Pests



## LESS is MORE Using Modern Spray Equipment

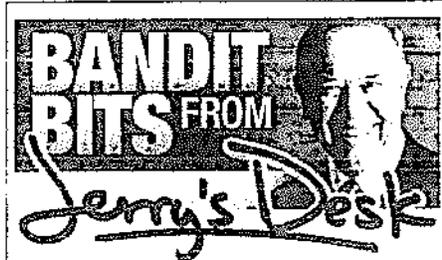


[www.tcia.org](http://www.tcia.org)

"With the compact body width at only 23 inches, getting close to buildings or fitting through gate openings to access stumps is quick and easy," says Kainz.

Other features on the SG340 include a 340cc Honda OHV engine; 22-inch, 4-

Advertisement



We're already a month into 2013, and as I write this we're having another mild winter in Michigan despite all the predictions to the contrary. Not everyone in the country has been so fortunate, and there's still plenty of time for Mother Nature to slap our wrists and remind us what she's capable of. But on the whole it looks like many of us could have another early spring.

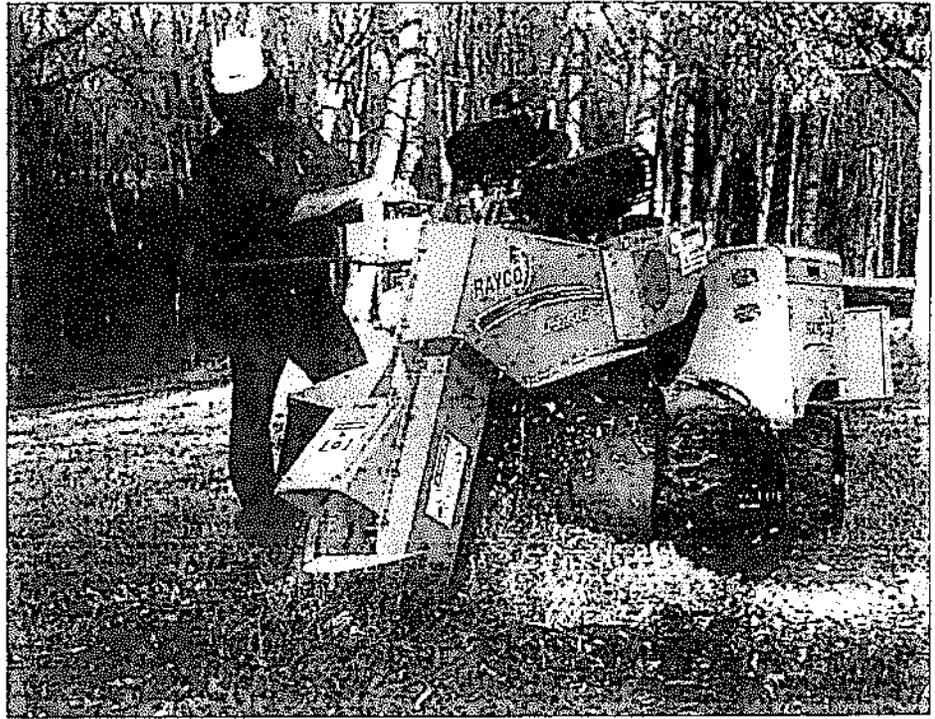
The mild conditions last year gave many tree crews an early start, and that certainly played a role in Bandit having strong sales all through 2012. This allowed us to purchase a large supply of Tier 3 engines for our equipment, and we packed our warehouses with as many as we could get.

I'm sure everyone is now aware of Tier 4 emissions regulations and how expensive these new Tier 4 engines are turning out to be. These regulations also allow us to sell existing Tier 3 and Tier 3 flex engines we have in stock before switching over, so we invested heavily in these less expensive engines. I'm happy to say that Bandit has an ample supply of these engines for 2013, but how long they last will of course depend on demand. Once our allotment is used up, we'll switch to Tier 4.

We do this not to simply delay the inevitable, but to allow engine manufacturers and our customers more time to adapt to the new regulations, and for markets to stabilize. The new engines are really quite impressive, and as they come more into the market prices will hopefully ease, as is often the case with new technologies. In the meantime, if you're planning a chipper or larger stump grinder upgrade in the next few years, acting sooner while Tier 3 and Tier 3 Flex machines are available can save you some money and possible aggravation.

*Jerry Morey*  
- Jerry Morey

Circle 8 on RS Card or visit  
[www.tcia.org/Publications](http://www.tcia.org/Publications)



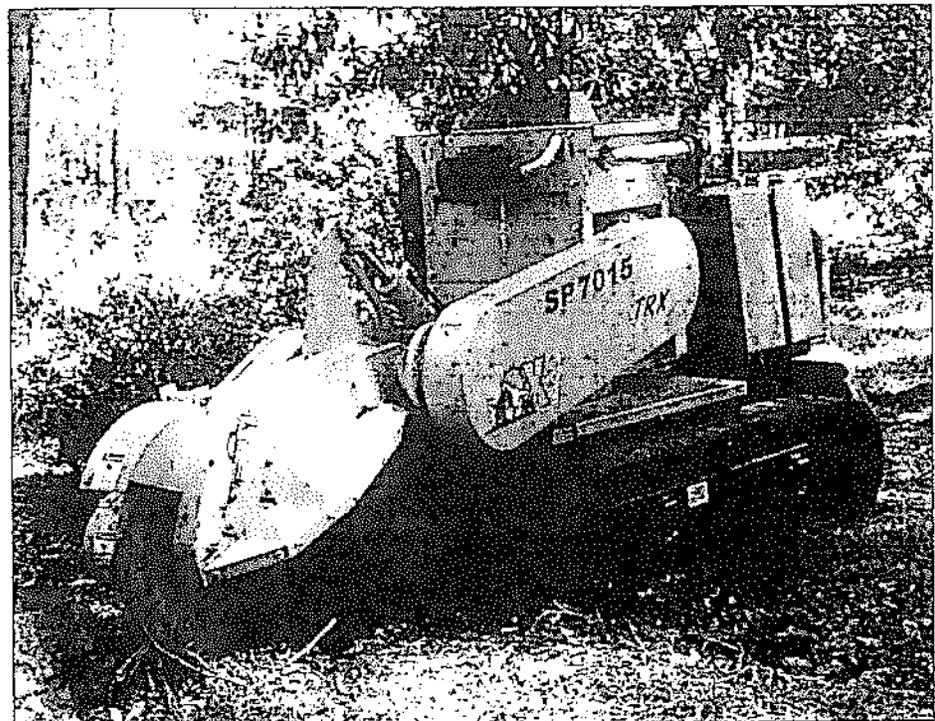
Rayco's RG27 Super Jr machines are designed to give wider cutting dimensions, lower center of gravity, more traction and floatation, and better visibility while cutting.

ply pneumatic tires, a double-banded belt drive, and a fully enclosed housing.

"Its unique horizontal cut allows you to shave unrightly nice roots, without cutting them," according to Kainz, adding that it "also helps operator friendliness by reducing machine kick back."

"The Husqvarna SG13 removes

stumps even in tight spaces," Sean Dwyer, global product manager for Husqvarna, says of his company's compact contribution to the market. "This professional stump grinder features a powerful Honda engine and carbide teeth to ensure superior results. The versatile construction allows the user to work in



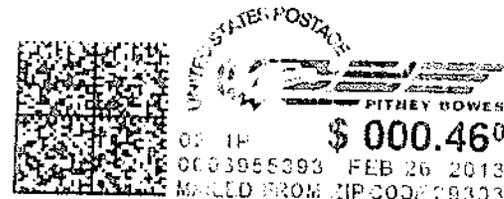
J. P. Carlton's SP7015's innovations include the highly efficient Razor Cutting System.



J.P. Carlton Company Div. DAF Inc.  
121 John Dodd Road  
Spartanburg, South Carolina 29303



FCL 10050576



Manager  
Heavy-Duty and Nonroad Engine Group  
Mail Code 6405J  
US Environmental Protection Agency  
1200 Pennsylvania Avenue NW  
Washington, DC 20560

